

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

In re:

Case No. 16-20213

**FLOUR CITY BAGELS, LLC**

Chapter 11

Debtor.

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**STATEMENT PURSUANT TO FED. R. BANKR. P. 2019**

Pursuant to Fed.R.Bankr.P. 2019(a), Harris Beach PLLC ("Harris Beach") files this statement concerning representation of more than one creditor in this case:

1. Harris Beach now represents two (2) creditors and/or interested parties in this case:

- a) Jay's Acquisitions LLC ("Jay's"); and
- b) Excellus Health Plan Inc. and its affiliates.

2. Harris Beach no longer represents MRM Wealth Management LLC ("MRM"), and Morgan Acquisitions, LLC in this case.

3. Jay is a landlord for four (4) of the Debtor's locations and will be a creditor based on a proposed rejection of one of the leases. The Debtor currently has a motion seeking approval to enter into an Amended and Restated Master Lease Agreement with Jay and to assume the Amended and Restated Master Lease Agreement, and to Reject the Former Lease of Nonresidential Real Property for the Albany Commissary, which motion is to be heard on August 15, 2017.

4. Excellus Health Plan, Inc. and its affiliates ("Excellus") is the counterparty to an executory contract and a possible creditor of the Debtors with a contract for health insurance coverage of some of the Debtor's employees. Harris Beach has been retained by Excellus in the

instant case to represent its interests in connection with any claims and to monitor these proceedings. Harris Beach regularly represents Excellus with respect to the agreements at issue by and between Excellus and Debtor.

5. Harris Beach has obtained conflict waivers executed by Jay and Excellus, authorizing Harris Beach to represent their respective interests in the bankruptcy case.

6. Harris Beach does not represent any indenture trustees or other members of any formal or informal committee in the within proceeding.

7. The information contained herein is intended solely for the purpose of complying with Fed. R. Bankr. P. 2019(a); Harris Beach and its clients reserve all rights, including those of supplementation and/or amendment.

Dated: August 14, 2017

/s/ Wendy A. Kinsella, Esq.

Wendy A. Kinsella, Esq. (Bar Roll No. 508699)

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